

EXHIBIT “E”

HEFNER, STARK & MAROIS, LLP
Thomas P. Griffin, Jr., Esq. (SBN 155133)
tgriffin@hsmllaw.com
2150 River Plaza Drive, Suite 450
Sacramento, CA 95833
Telephone: 916.925.6620
Facsimile: 916.925.1127

ABRAMS FENSTERMAN, LLP
Seth L. Berman, Esq. (*admitted pro hac vice*)
sberman@abramslaw.com
3 Dakota Drive, Suite 300
Lake Success, NY 11042
Telephone: 516.328.2300
Facsimile: 516.328.6638

Attorneys for Plaintiff YELLOWCAKE, INC.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

YELLOWCAKE, INC., a California
corporation,

Plaintiff,

v.

HYPHY MUSIC, INC.,

Defendant.

Case No.: 1:20-CV-00988-DAD-BAM

**PLAINTIFF/COUNTER
DEFENDANT YELLOWCAKE,
INC.'S RESPONSE TO
DEFENDANT/
COUNTERCLAIMANT'S FIRST
SET OF INTERROGATORIES TO
PLAINTIFF/
COUNTERDEFENDANT
YELLOWCAKE, INC.**

HYPHY MUSIC, INC.,)
)
 Counterclaimant,)
)
 v.)
)
 YELLOWCAKE, INC., COLONIZE)
 MEDIA, INC., JOSE DAVID)
 HERNANDEZ, JESUS CHAVES, SR.,)
)
 Counterdefendants.

Plaintiff/Counterdefendant Yellowcake, Inc. (“Plaintiff/Counterdefendant”) through its attorneys Abrams Fensterman, LLP, and local counsel, Hefner Stark & Marois, LLP, and in accordance with Federal Rules of Civil Procedure 26 and 33, hereby submit the following objections and responses to the First Set of Interrogatories to Plaintiff/Counterdefendant Yellowcake, Inc (the “Interrogatories”) propounded by Defendant/Counterclaimant Hyphy Music, Inc. (“Defendant/Counterclaimant”). Plaintiff/Counterdefendant reserves the right to supplement, amend, or correct these responses and any documents or responses produced as part of these disclosures.

I.

PRELIMINARY STATEMENT

Plaintiff/Counterdefendant has not, at this time, fully completed its discovery and investigation in this action. All information contained herein is based solely upon such information and evidence as is presently available and known to Plaintiff/Counterdefendant upon information and belief at this time. Further discovery, investigation, research and analysis may supply additional facts, and meaning to currently known information. Plaintiff/Counterdefendant reserves the right to amend any and all responses herein as additional facts are ascertained, legal research is completed, and analysis is undertaken.

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1 The responses herein are made in a good faith effort to supply as much
2 information as is presently known to Plaintiff/Counterdefendant.

3 **II.**

4 **GENERAL OBJECTIONS**

5 In addition to the objections stated in the specific responses to the
6 Interrogatories, the following objections (the “General Objections”) apply to all of the
7 Interrogatories. The following General Objections are hereby incorporated by reference
8 into the individual responses to the Interrogatories, and have the same force and effect
9 as if fully set forth in the responses to the Interrogatories. Defendant/Counterclaimant
10 objects as follows:

11 1. Plaintiff/Counterdefendant objects to the Interrogatories to the extent
12 that they seek information that is not relevant to the subject matter of this proceeding or
13 is not reasonably calculated to lead to the discovery of admissible evidence.

14 2. Plaintiff/Counterdefendant objects to the Interrogatories as improper
15 and unduly burdensome to the extent that they purport to impose upon
16 Plaintiff/Counterdefendant any obligations or requirements broader than those set forth
17 in the Federal Rules of Civil Procedure or rules otherwise applicable to this matter.

18 3. Plaintiff/Counterdefendant objects to the Interrogatories to the extent
19 that they call for information that is a matter of public record or otherwise routinely
20 available to all parties.

21 4. Plaintiff/Counterdefendant objects to the Interrogatories to the extent
22 that they are duplicative or designed to harass.

23 5. Plaintiff/Counterdefendant objects to the Interrogatories to the extent
24 that they seek information that is protected from disclosure by the attorney-client
25 privilege, the work product doctrine, or any other privilege or immunity from discovery.
26 Any inadvertent disclosure of any such privileged information shall not constitute a
27 waiver of any applicable privilege or any other ground for objecting to discovery with
28 respect to such privileged information.

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6. Plaintiff/Counterdefendant objects to the Interrogatories to the extent that they seek information regarding documents or materials that are not in Plaintiff/Counterdefendant's possession, custody, or control.

7. Plaintiff/Counterdefendant objects to the Interrogatories to the extent that they state a legal conclusion, or assume or appear to assume that any fact, event, or assumption is true. By responding to any such Interrogatory, Plaintiff/Counterdefendant does not concede the correctness of any such conclusion or assumption.

8. Plaintiff/Counterdefendant objects to the Interrogatories on the ground that they are unduly burdensome and premature in light of the fact that Plaintiff/Counterdefendant is still conducting discovery and that many of the facts are already known by Defendant/Counterclaimant. Plaintiff/Counterdefendant has made a good faith effort to respond to each Interrogatory in a timely manner. Plaintiff/Counterdefendant's responses herein are necessarily based solely on the information that is available to Plaintiff/Counterdefendant on the date of these responses. Plaintiff/Counterdefendant's investigation is ongoing, and Plaintiff/Counterdefendant reserves the right to amend, supplement, or withdraw any response or objection to the Interrogatories as it deems necessary or appropriate in light of information or knowledge obtained as discovery progresses in this action.

9. In responding to the Interrogatories, Plaintiff/Counterdefendant does not concede that any of the information provided is relevant or material to the subject matter of this litigation or reasonably calculated to lead to the discovery of admissible evidence. Plaintiff/Counterdefendant reserves the right to object to the admissibility at trial of any of the information produced in response to the Interrogatories.

III.

SPECIFIC OBJECTIONS AND RESPONSES TO THE INTERROGATORIES **INTERROGATORY NO. 1:**

State all facts regarding YOUR belief that YOU are the sole owner of all right, title, and interest in and to the COPYRIGHTED WORKS.

1 **RESPONSE TO INTERROGATORY NO. 1:**

2 Subject to and without waiving any General Objections, Plaintiff/
3 Counterdefendant is the sole owner of all right, title, and interest in and to the
4 COPYRIGHTED WORKS by virtue of the Asset Purchase Agreement dated March 21,
5 2019, between Yellowcake and Jesus Chavez, Sr., and the related copyright
6 registrations.

7 **INTERROGATORY NO. 2:**

8 State all facts regarding YOUR purported acquisition of all right, title, and
9 interest in and to the COPYRIGHTED WORKS from CHAVEZ.

10 **RESPONSE TO INTERROGATORY NO. 2:**

11 Subject to and without waiving any General Objections, Plaintiff/
12 Counterdefendant is the sole owner of all right, title, and interest in and to the
13 COPYRIGHTED WORKS by virtue of the Asset Purchase Agreement dated March 21,
14 2019, between Yellowcake and Jesus Chavez, Sr., and the related copyright
15 registrations.

16 **INTERROGATORY NO. 3:**

17 State all facts regarding each and every conversation CHAVEZ had with
18 anyone for YOU regarding YOUR purported acquisition of all right, title, and interest
19 in and to the COPYRIGHTED WORKS.

20 **RESPONSE TO INTERROGATORY NO. 3:**

21 Plaintiff/Counterdefendant objects to this Interrogatory for the reasons set forth
22 in the General Objections and on the grounds that it is overly broad, unduly burdensome
23 and vague.

24 **INTERROGATORY NO. 4:**

25 State all facts regarding each and every conversation between or among anyone
26 who works for YOU regarding YOUR purported acquisition of all right, title, and
27 interest in and to the COPYRIGHTED WORKS.

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RESPONSE TO INTERROGATORY NO. 4:

Plaintiff/Counterdefendant objects to this Interrogatory for the reasons set forth in the General Objections and on the grounds that it is overly broad, unduly burdensome and vague.

INTERROGATORY NO. 5:

State all of the terms of YOUR purported agreement with CHAVEZ to transfer all right, title, and interested in and to the COPYRIGHTED WORKS to YOU.

RESPONSE TO INTERROGATORY NO. 5:

Plaintiff/Counterdefendant objects to this interrogatory as overbroad and unduly burdensome to the extent it calls for Plaintiff/Counterdefendant to reproduce, in narrative answer format, material that has already been produced to Defendant/Counterclaimant. *See* Federal Rule of Civil Procedure 33(d). Subject to and without waiving these objections and the General Objections, Defendant/Counterclaimant is referred to the Asset Purchase Agreement dated March 21, 2019, between Yellowcake and Jesus Chavez, Sr.

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiff/Counterdefendant reserves the right to supplement, amend, or correct these responses and any documents or responses produced as part of these disclosures.

Dated: February 11, 2022

ABRAMS FENSTERMAN, LLP

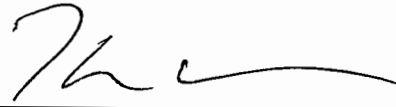
By: /s/ Seth L. Berman
Seth L. Berman, Esq. (*pro hac vice*)
***Attorneys for Plaintiff/Counterdefendant
Yellowcake, Inc.***

VERIFICATION OF INTERROGATORY ANSWERS

State of California,

County of Stanislaus, ss:

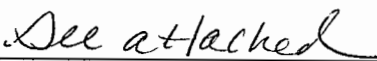
Kevin Berger, being first duly sworn, states that I am a shareholder and the Chief Executive Officer of Plaintiff/Counterdefendant Yellowcake, Inc. I have read the above document and knows the contents of it, and that all of the statements contained in that document are true and correct, to the best of my knowledge and belief.



Kevin Berger

Sworn to and subscribed before me

this ____ day of February, 2022.



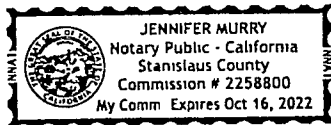
Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of STANISLAUS

Subscribed and sworn to (or affirmed) before me on this 10TH
day of FEBRUARY, 2022, by KEVIN BERGER

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

A handwritten signature in black ink, appearing to read "Kevin Berger", written over a horizontal line.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing
**PLAINTIFF/COUNTER DEFENDANT YELLOWCAKE, INC.'S RESPONSE
TO DEFENDANT/COUNTERCLAIMANT'S FIRST SET OF
INTERROGATORIES TO PLAINTIFF/COUNTERDEFENDANT
YELLOWCAKE, INC.** has been served upon the Attorneys for
Defendant/Counterclaimant via Electronic Mail addressed to:

ALTVIEW LAW GROUP, LLP

John M. Begakis, Esq.

john@altviewlawgroup.com

12100 Wilshire Blvd., Suite 800

Los Angeles, California 90025

Telephone: (310) 230-5580

Facsimile: (562) 275-8954

on February 11, 2022.



Seth L. Berman